EXHIBIT C

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TIFFANY HSUEH,

Plaintiff,

-against-

THE NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES, a/k/a THE DEPARTMENT OF FINANCIAL SERVICES and ABRAHAM GUEVARA, individually,

Defendants.

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September 9, 2016
9:59 a.m.

EXAMINATION BEFORE TRIAL of TIFFANY HSUEH held at the State of New York Office of the Attorney General, 120 Broadway, 24th Floor, New York, New York before ELIZABETH C. GLENNON, a Notary Public of the State of New York.

A. I found the recording I was searching for.
Q. You thought by finding the recording you would eliminate any sanctions against you?
A. I was just told there was heavy sanctions in connection with the recording.
Q. Was the entire recording recovered?
A. Yes.
Q. How can you be sure?
A. It's the only recording I have.
Q. I'm asking if the entire recording was recovered?
A. That's the entre recording.
Q. How do you know?
A. I only made one recording.
Q. I understand you only made one. I'm asking if it's possible only part was recovered.
A. No.
Q. Why are you sure?
A. Because it's the only recording.
Q. I am asking how you are sure the entire recording was recovered?
A. The entire recording was that one recording.
Q. How do you know the entire recording, as opposed a part of the recording, was recovered?

MR. RIZZO: Did you listen to the recording once your husband found it?

THE WITNESS: Yes.

MR. RIZZO: Did you listen to it in its entirety?

THE WITNESS: Yes.

MR. RIZZO: Is it your testimony today that that recording is complete?

THE WITNESS: Yes.

Q. How can you be sure?

A. I'm sure because it's the only one I made.

Q. Is it possible that part of the recording you made is still lost?

A. I don't see how that is possible.

MS. DIETZ: Let's play the recording. You don't have to transcribe this.

(Whereupon a recording was played.)

Q. The recording cut the off mid sentence, right?

A. I suppose so.

Q. Where is the rest of it? Why does it cut off mid sentence?

A. I don't know.

Q. Is it possible there is more of it?

A. No.

Q. Since it cuts off mid sentence, how do you know your husband recovered the whole thing?
A. I only made one recording.
Q. How do you know your husband recovered the whole thing?
A. That's as far as the space on my recorder had.
Q. That's your testimony?
A. That's what I believe.
Q. This recording isn't helpful for your case, is it?
MR. FRANK: Objection to form.
A. I don't know if it is or isn't.
Q. It doesn't support your allegation against DFS, does it?
MR. FRANK: Same objection.
A. She was dodging every question I had and avoiding questions and kept telling me she was independent, and she wasn't part of DFS, and she wasn't being helpful at all.
Q. She never tells you to stay quiet, keep quiet?
A. Not on the recording, no.
Q. So it happens you recorded the one meeting she didn't say that?

Q. It's your understanding sexual harassment victims can't take out a restraining order.
A. I did not know if we could or couldn't.
Q. Did you look into it?
A. No. Because from my understanding, a restraining order was from domestic violence.
Q. What was that understanding based on?
A. Reading about restraining orders.
Q. When did you read about them?
A. Over the years.
Q. You, over the years, happened to read about restraining orders? Why?
A. Anything in the news, if a restraining order had been taken out.
Q. You deleted this recording because it's not helpful for your case, right?
A. No. Because I could barely hear it, and I was also nervous if it was legal to record without permission.
Q. If you were worried about if it was legal, why did you do it?
A. It was for my own records and so I could more clearly hear Allison or understand, because I was very upset during our meeting, and I did not remember every detail she told me, so I wanted to go back over

her answers.

Q. Why did you delete it?

A. Because it was not audible.

Q. We heard it today. We were just talking about what was said.

A. When I had it, I was not able to hear it.

Q. This is a government office. This is not high tech equipment. It's your testimony it's because of this equipment we can suddenly hear what you said?

MR. FRANK: Objection.

A. I'm saying my own recording from my equipment, I couldn't hear much.

Q. But you could you hear it today?

A. Yes. With your speakers.

Q. Did you record other conversations?

A. No.

Q. Why?

A. I made one attempt, and it was barely audible, so I discontinued any attempt.

Q. Did you record conversations with anyone else at DFS?

A. No.

Q. Why not?

A. I did not have a good recorder.

MS. DIETZ: I think that's all I have.

MR. FRANK: I missed the response.

MS. DIETZ: She closed out the card, which is not an appropriate response. I'm going to have to call for production. You can take it under advisement.

Q. Talking about now the recording we listened to earlier, how was it recorded, on what kind of device?

A. MP3 player.

Q. Forgive me. I'm not up on the technology. What kind of device is it?

A. It plays audio files.

Q. Right but is it what we used to call a tape recorder? It is digital?

A. MP3 digital.

Q. Do you still have that?

A. No.

Q. What happened to it?

A. I downsized from my two bedroom to a one bedroom and donated most of my belongings.

Q. Why would you donate the recorder?

A. I no longer needed it.

Q. How big was it?

A. (indicating)

Q. So you're indicating three inches wide by eight inches? That's a big recorder.

A. (indicating)

Q. So now we're at two inches wide by eight inches long?

A. I can't say. That's how I remember it being.

Q. Do you know the make and model?

A. No. I think it was a Sony.

Q. Do you know what type of Sony?

A. No.

Q. Do you know what the capacity was for the recorder?

A. No.

Q. How much time it could record?

A. No.

Q. Did you have anything recorded on the recorder at the time you recorded your meeting with Ms. Calvary?

A. I don't remember.

Q. Was it blank?

A. I believe I had song files on it.

Q. How many song files?

A. I don't remember exactly how many.

Q. What happened to these files on the recorder; did you transfer them to the computer?

A. Just to keep it on my computer.
Q. Then you deleted it?
A. Yes.
Q. Why would you have deleted it?
A. I couldn't hear most of it, and I was wondering if it was legal.
Q. Who would have known -- why were you concerned about whether or not it was legal?
A. I just didn't know if it was allowed or if I needed a signature or if they have to be aware. I was frightened, and the recording was full of static.
Q. Did you transfer anything else from that recorder?
MR. FRANK: At that time?
Q. At that time.
A. No.
Q. You say your husband found it on the hard drive of the computer?
A. I don't know exactly how he found it. He said the hard drive.
Q. When did you delete it?
A. I don't remember.
Q. How soon after the meeting or the transfer onto the computer did you do it?
A. I can't say. I had it on my computer and